

entrepreneurs, the chambers of commerce, the Governor, various State-elected officials who have an interest in this issue, and other interested parties and work to try to get this important work done in the right fashion.

I have been very proud to have been involved in two natural resource efforts in the last few years where people thought the polarization was so great that you could not get anything done. With respect to the county payments legislation Senator CRAIG and I teamed up on a matter that was absolutely critical to funding schools and roads. We worked in a bipartisan way, listened to people, and got an important piece of legislation passed.

We did the same thing with respect to forest health legislation earlier in this Congress. People said we couldn't get a bill out of the Senate. A lot of people of good will, including the Presiding Officer tonight, came together and we got 80 votes for it in the Senate.

When you listen to people, it is possible to get important natural resources legislation passed. I think it would be very appropriate to take the draft I am now circulating to the people of Oregon, spend the necessary time listening to people of our State, and turn it into legislation that could be considered formally by the Congress and perfect it in the coming weeks and days ahead. Congress ought to try to pass this legislation after listening to the people of my home State. The grandeur of Mount Hood and other Oregon treasures can be assured for future generations if we can come together and approach this in a bipartisan way.

That is what I am committed to doing based on my conversations today with Congressman WALDEN and Congressman BLUMENAUER, the Members who are most affected by the legislation, and Senator SMITH who has joined me so often. I am convinced our delegation is committed to doing this job right, recognizing that 2004 is a momentous year for wilderness in our State.

I would very much like to see the people of our State, working with our congressional delegation, coming together and passing a Lewis and Clark Mount Hood Wilderness Act of 2004. We have a lot of work ahead of us in the days ahead, but we are committed to approaching this in a responsible and bipartisan fashion. I want to tell the people of my State I think it would be exciting to make sure that we could take steps in this session to ensure that, for the millions who will come to visit Mount Hood in the days ahead, we have acted to preserve the grandeur of this spectacular treasure.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Mr. President, in a few minutes we will be closing for the evening, but over the next several minutes I would like to comment on a couple of events from today, and then, in closing, we will talk a bit about what to expect over the next several days and next week.

#### CONGRESS BUILDING AMERICA NATIONAL BUILD

Mr. FRIST. Mr. President, I, first, would like to comment on the way my day began. It happened to begin with the distinguished Presiding officer, the Senator from Minnesota, early this morning, as we engaged in a project that many people around the country have participated in. For those who have not, I hope they do participate in it; and that is, to build—I was not going to say a house—but, indeed, a home as part of Habitat for Humanity.

Not too far from here—about 15 minutes from our Nation's Capitol—there is a plot of land. We have been blessed in many ways because, right now, we have been part of a group of people who put up several houses. We did not put them all up today, but eventually that whole site—and it is probably a couple-acre site; actually, it must be larger than that—will have 50 different houses with individual homeowners, families who will call those houses their homes.

Many of those people have no homes today, but they have devoted a fair amount of planning, with their sweat and their equity and their spirit, in helping to construct these houses through Habitat for Humanity.

We were there with a number of House Members and Senate Members. It was bipartisan, bicameral. It was part of what is called "Congress Building America." Today was called: "Congress Building America National Build."

It was a great celebration this morning. Millard Fuller was there. Millard Fuller is the man who had the vision and the heart to first think of and then lay out and then implement Habitat for Humanity International. His commitment reflects a merging, a coming together of faith, a call to service. He has professional training. He has been a very successful attorney. We had an opportunity to congratulate him, but also to spend most of the morning working side by side with him.

Millard is a fascinating individual. He travels around the world both promoting and educating people about Habitat for Humanity. I talked to him a bit this morning about recent trips I have had the opportunity to make, again, one with the Presiding Officer to Africa, where, to me, we have a great opportunity, but also there is great hope, as we look at that continent today.

This morning there were teams of five or six people who worked together, with a leader in that team. I was not

the leader for those 3 to 4 hours. We had a young woman by the name of Dawn, who is part of the AmeriCorps affiliation with Habitat for Humanity, who walked us through the construction of this house that was nothing but a slab of concrete, but by the time we left, it had the walls up around it.

But part of my team was also Charliisa Tomlinson. Charliisa is the owner of the home, who began, about 2 years ago, with this dream, and now, with her three children there today, participated in the construction of that very house.

As we put up that last wall, and there was a window there, and we looked out the window, I asked: Whose bedroom is this going to be? She very quickly told me which child's bedroom it was going to be.

She has been very active in her church, very active in her community. The realization of her family's dream shows us how powerful volunteers can be, how the very best of the public sector, Government, which funds, in part, Habitat for Humanity, and the 10 or 15 sponsors, organizations, companies that invest, and invest heavily, in support of Habitat for Humanity can come together.

I thank my colleagues because this is the first year we have had broad bipartisan, bicameral participation. A number of Senators have gone out and participated before, but today we broke all records in terms of Senate participation in this wonderful, wonderful project.

We were there to demonstrate our commitment, as elected leaders. I should also add that the spouses of the Senators were there as well throughout the morning. They even stayed into the afternoon. But we really were there to demonstrate our commitment, our deep, personal commitment to affordable home ownership for low-income American families.

We were also there to show our appreciation for faith-based groups and other nonprofits such as Habitat for Humanity that do provide these critical services to individuals and families in need across America.

Home ownership is such an essential part of our lives, of our social investments, of our economic investments. It is empowering to families. It is empowering to communities. It contributes economic vitality to areas and regions in communities where these beautiful new homes arise. So it was an exciting project this morning. We have done a lot.

As we were there and looking around, we saw the AmeriCorps volunteers. There was a group of college students from Cornell who, instead of going where 99.9 percent of the college students go—to vacation, which I guess is Florida or the west coast or to warmer weather—dedicated their spring vacation to being there and hammering nails, and spending their 8 days away from Cornell—again, colleges all over the country are doing this, but they

were with us today, and the volunteers from the community, working with the corporate executives, working with the Members of the Senate. It was really, really gratifying.

The Congress participates and works with the administration. We provided \$27 million this year for the Self-Help Homeownership Opportunity Program, SHOP. Under this grant program, homeowners contribute significant amounts of their own volunteer labor to the construction or to the rehabilitation of a property. President Bush requested \$67 million next year for this particular program, SHOP, Self-Help Homeownership Opportunity Program.

The 108th Congress passed and President Bush signed the American Dream Downpayment Act of 2003. That is going to help over 40,000 families a year with their downpayment and closing costs and further strengthen our housing market all over the country. Seeing the Senate in action, as we hammered and nailed and put the siding up, made me realize how much this body does do and cares in terms of eliminating poverty housing in America. I hope that demonstrates our commitment to that goal and our continued commitment for affordable housing throughout America but in particular for low-income American families.

#### UNBORN VICTIMS OF VIOLENCE

Mr. FRIST. Mr. President, the rest of today was spent on a very important initiative that was really long overdue. That was addressing the issue of the Unborn Victims of Violence Act.

I very much appreciate the Democratic leadership working with us to have a unanimous consent agreement today where we could begin this morning and continue straight through in a very orderly way, have very good debate, very good amendments on the floor of the Senate, and then, 8 hours after we began, to come to a conclusion with a vote that will have a huge impact, an impact on victims of violence that were protected in some States but in many States were not.

The issue at hand really boiled down to that single question, that when a pregnant woman is murdered along with her unborn baby, is there one victim or are there two? All of this is very simple. It is simple to me in terms of understanding it, but also simple in that it applies so directly to humanity.

There is a case that I never talked about on the floor today. It came to mind this afternoon in a press conference later where there were four families that were victims of violence, and they told their stories. It was very powerful. I am not sure if it was captured by the news cameras there or not, or if many people will see it—very powerful stories.

But it did remind me of a story, a recent case in my own State of Tennessee. It was an early morning in January, and two young men gunned down Tracey Owens on an empty street in

south Nashville. Tracey was between 38 and 40 weeks pregnant, just about ready to deliver, could have delivered any day. The perpetrators said they believed they had hit the pregnant woman with their truck and they were afraid they would get in trouble. So they stopped and they got out, and as Tracey was laying there crying out for help, one of the assailants just looked at her and said: Here is your help. And with that, he shot her in the abdomen, actually shot her five times with a .22-caliber pistol. One of those bullets actually hit the baby and she was about ready to deliver.

After murdering Tracey and her unborn baby, the two men went back to an ex-girlfriend's apartment. They cleaned the weapon off, and then they fell asleep. They were picked up after a motorist found Tracey's body and a witness at the scene told investigators they had seen the two men shooting at parked cars. Investigators quickly found the culprits, and they quickly confessed. The perpetrators now sit in jail awaiting the grand jury.

A police detective in the case said: In my 22 years on the job, I have never seen anyone executed—and I mean executed—because someone thought they had hit the person with a vehicle.

Tennessee is one of 29 States with a fetal homicide law on the books. So then the question arises, was Tracey's baby, who was only days away from delivery, also slain? That is what this bill was about today. That is what this act was about. That is why it is so important that this body responded and responded so positively with the final vote, now just an hour or an hour and a half ago. The answer to that question to me is simple. I think it is simple. Ultimately, no matter how you voted today, the answer is straightforward.

The reason why I use this example is because it is so obvious. You only have to look at the autopsy results themselves. The medical examiner did not examine just Tracey alone; she examined the baby as well. Indeed, that is how we know that the baby was shot by one of those five shots. That little baby was hit. And common sense tells us that in examining the murder victims, the coroner was faced not just with one dead body but with two dead bodies.

We have groups such as the American Civil Liberties Union which opposed the bill, the Unborn Victims of Violence Act. They said that counting two victims is a "dangerous attempt to separate a woman from her fetus in the eyes of the law." In other words, they tried to cast this as an abortion issue.

One of the wonderful things about the discussion today is that everytime someone tried to cast it as an abortion issue, that was debunked and was made very clear that this is not an abortion issue.

When a husband intentionally punches his expectant wife in the abdomen with the express purpose of causing a miscarriage, it is he who is separating the woman from the fetus.

I would argue that when a boyfriend tires of his pregnant girlfriend and hires an assassin to dispose of the girlfriend and the baby, he is killing two human beings. One may even argue that the baby is in fact—and many times is—the primary target.

But we don't need to examine the motives of the perpetrators in these real life cases to reach those conclusions. Even if an assailant is unaware of his victim's pregnancy, should he, the perpetrator, decide whether or not the baby exists? Should we accept that because he didn't know when he was killing one person he was snuffing out the life of a second, there is no second crime?

The Unborn Victims of Violence Act does. And now we know it is going to go to the President. This was the exact same act that passed in the House of Representatives and, thus, we know there is no stopping this one. It is going to go to the President. This act protects the rights of the baby to come into this world as the mother intends, and it holds the criminal responsible for endangering the life and the health of the child.

We did have an amendment today from the senior Senator from California that was offered that said it was sufficient to add special penalties for attacking a woman who is pregnant. Indeed, it really pushed aside the intent of the underlying bill and said it is sufficient to add special penalties for attacking a woman who is pregnant. And tougher laws will assuage the feelings of the devastated family and compensate the mother for her sense of loss. All of that misses the point, the heart and soul of this underlying legislation. The harmed child is not notional. The harmed child is not a sense. The harmed child is not an emotion. The baby is real and the loss is real.

Again, I wish my colleagues could have heard today the four families who suffered such real and tragic losses. The second life has been harmed, whether intentional or not. Verbal evasions and euphemisms simply cannot hide this plain fact. I think about an expectant mother, her excitement about her family, her future family, how she starts to show, and even strangers, when she walks by, begin to smile and ask, "When is the baby due?" You cannot help but think of friends who are throwing showers or the metro rider who stands up and offers his seat for that expectant mother.

Our natural reaction is to celebrate the miracle of life and offer our love and compassion, not for a theory, or a theoretical baby, but for an actual baby—a baby we hope will be born and will be healthy.

Well, this act, the Unborn Victims of Violence Act, which now is going to be the law of the land, recognizes the simple reality. It is not about abortion, as its opponents took great pains to argue but which was debunked today. It doesn't undermine the 1973 *Roe v. Wade* Supreme Court decision, as even pro-